

103^D CONGRESS
1ST SESSION

H. R. 1444

To amend title II of the Social Security Act to provide for payment of a benefit for the month of the recipient's death.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1993

Mr. CLEMENT introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to provide for payment of a benefit for the month of the recipient's death.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PAYMENT OF BENEFITS FOR MONTH OF RE-**
4 **CIPIENT'S DEATH.**

5 (a) IN GENERAL.—

6 (1) OLD-AGE INSURANCE BENEFITS.—Section
7 202(a) of the Social Security Act (42 U.S.C. 402(a))
8 is amended by striking “the month preceding” in the
9 matter following subparagraph (B).

10 (2) WIFE'S INSURANCE BENEFITS.—

1 (A) IN GENERAL.—Section 202(b)(1) of
2 such Act (42 U.S.C. 402(b)(1)) is amended—

3 (i) by striking “and ending with the
4 month” in the matter immediately follow-
5 ing clause (ii) and inserting “and ending
6 with the month in which she dies or (if
7 earlier) with the month”;

8 (ii) by striking subparagraph (E); and

9 (iii) by redesignating subparagraphs
10 (F) through (K) as subparagraphs (E)
11 through (J), respectively.

12 (B) CONFORMING AMENDMENT.—Section
13 202(b)(5)(B) of such Act (42 U.S.C.
14 402(b)(5)(B)) is amended by striking “(E),
15 (F), (H), or (J)” and inserting “(E), (G), or
16 (I)”.

17 (3) HUSBAND’S INSURANCE BENEFITS.—

18 (A) IN GENERAL.—Section 202(c)(1) of
19 such Act (42 U.S.C. 402(c)(1)) is amended—

20 (i) by striking “and ending with the
21 month” in the matter immediately follow-
22 ing clause (ii) and inserting “and ending
23 with the month in which he dies or (if ear-
24 lier) with the month”;

25 (ii) by striking subparagraph (E); and

1 (iii) by redesignating subparagraphs
2 (F) through (K) as subparagraphs (E)
3 through (J), respectively.

4 (B) CONFORMING AMENDMENT.—Section
5 202(c)(5)(B) of such Act (42 U.S.C.
6 402(c)(5)(B)) is amended by striking “(E), (F),
7 (H), or (J)” and inserting “(E), (G), or (I)”.

8 (4) CHILD’S INSURANCE BENEFITS.—Section
9 202(d)(1) of such Act (42 U.S.C. 402(d)(1)) is
10 amended—

11 (A) by striking “and ending with the
12 month” in the matter immediately preceding
13 subparagraph (D) and inserting “and ending
14 with the month in which such child dies or (if
15 earlier) with the month”; and

16 (B) by striking “dies, or” in subparagraph
17 (D).

18 (5) WIDOW’S INSURANCE BENEFITS.—Section
19 202(e)(1) of such Act (42 U.S.C. 402(e)(1)) is
20 amended by striking “ending with the month preced-
21 ing the first month in which any of the following oc-
22 curs: she remarries, dies,” in the matter following
23 subparagraph (F) and inserting “ending with the
24 month in which she dies or (if earlier) with the

1 month preceding the first month in which any of the
2 following occurs: she remarries, or”.

3 (6) WIDOWER’S INSURANCE BENEFITS.—Sec-
4 tion 202(f)(1) of such Act (42 U.S.C. 402(f)(1)) is
5 amended by striking “ending with the month preced-
6 ing the first month in which any of the following oc-
7 curs: he remarries, dies,” in the matter following
8 subparagraph (F) and inserting “ending with the
9 month in which he dies or (if earlier) with the month
10 preceding the first month in which any of the follow-
11 ing occurs: he remarries,”.

12 (7) MOTHER’S AND FATHER’S INSURANCE BEN-
13 EFITS.—Section 202(g)(1) of such Act (42 U.S.C.
14 402(g)(1)) is amended—

15 (A) by inserting “with the month in which
16 he or she dies or (if earlier)” after “and end-
17 ing” in the matter following subparagraph (F);
18 and

19 (B) by striking “he or she remarries, or he
20 or she dies” and inserting “or he or she remar-
21 ries”.

22 (8) PARENT’S INSURANCE BENEFITS.—Section
23 202(h)(1) of such Act (42 U.S.C. 402(b)(1)) is
24 amended by striking “ending with the month preced-
25 ing the first month in which any of the following oc-

1 curs: such parent dies, marries,” in the matter fol-
2 lowing subparagraph (E) and inserting “ending with
3 the month in which such parent dies or (if earlier)
4 with the month preceding the first month in which
5 any of the following occurs: such parent marries,”.

6 (9) DISABILITY INSURANCE BENEFITS.—Sec-
7 tion 223(a)(1) of such Act (42 U.S.C. 423(a)(1)) is
8 amended by striking “ending with the month preced-
9 ing whichever of the following months is the earliest:
10 the month in which he dies,” in the matter following
11 subparagraph (D) and inserting the following: “end-
12 ing with the month in which he dies or (if earlier)
13 with whichever of the following months is the earli-
14 est:”.

15 (10) BENEFITS AT AGE 72 FOR CERTAIN UNIN-
16 SURED INDIVIDUALS.—Section 228(a) of such Act
17 (42 U.S.C. 428(a)) is amended by striking “the
18 month preceding” in the matter following paragraph
19 (4).

20 (b) COMPUTATION OF LAST MONTHLY PAYMENT.—

21 (1) OLD-AGE AND SURVIVORS INSURANCE BEN-
22 EFITS.—Section 202 of such Act (42 U.S.C. 402) is
23 amended by adding at the end the following new
24 subsection:

1 “Last Payment of Monthly Insurance Benefit

2 Terminated by Death

3 “(y) The amount of any individual’s monthly insur-
4 ance benefit under this section paid for the month in
5 which the individual dies shall be an amount equal to—

6 “(1) the amount of such benefit (as determined
7 without regard to this subsection) multiplied by

8 “(2) a fraction—

9 “(A) the numerator of which is the number
10 of days in such month preceding the date of
11 such individual’s death, and

12 “(B) the denominator of which is the num-
13 ber of days in such month,

14 rounded, if not a multiple of \$1, to the next lower multiple
15 of \$1. This subsection shall apply with respect to such
16 benefit after all other adjustments with respect to such
17 benefit provided by this title have been made. Payment
18 of such benefit for such month shall be made as provided
19 in section 204(d).”.

20 (2) DISABILITY INSURANCE BENEFITS.—Sec-
21 tion 223 of such Act (42 U.S.C. 423) is amended by
22 adding at the end the following new subsection:

1 “Last Payment of Benefit Terminated by Death

2 “(j) The amount of any individual’s monthly benefit
3 under this section paid for the month in which the individ-
4 ual dies shall be an amount equal to—

5 “(1) the amount of such benefit (as determined
6 without regard to this subsection), multiplied by

7 “(2) a fraction—

8 “(A) the numerator of which is the number
9 of days in such month preceding the date of
10 such individual’s death, and

11 “(B) the denominator of which is the num-
12 ber of days in such month,

13 rounded, if not a multiple of \$1, to the next lower multiple
14 of \$1. This subsection shall apply with respect to such
15 benefit after all other adjustments with respect to such
16 benefit provided by this title have been made. Payment
17 of such benefit for such month shall be made as provided
18 in section 204(d).’.

19 (3) BENEFITS AT AGE 72 FOR CERTAIN UNIN-
20 SURED INDIVIDUALS.—Section 228 of such Act (42
21 U.S.C. 428) is amended by adding at the end the
22 following new subsection:

1 “Last Payment of Benefit Terminated by Death

2 “(i) The amount of any individual’s monthly benefit
3 under this section paid for the month in which the individ-
4 ual dies shall be an amount equal to—

5 “(1) the amount of such benefit (determined
6 before application of this subsection), multiplied by

7 “(2) a fraction—

8 “(A) the numerator of which is the number
9 of days in such month preceding the date of
10 such individual’s death, and

11 “(B) the denominator of which is the num-
12 ber of days in such month,

13 rounded, if not a multiple of \$1, to the next lower multiple
14 of \$1. This subsection shall apply with respect to such
15 benefit after all other adjustments with respect to such
16 benefit provided by this title have been made. Payment
17 of such benefit for such month shall be made as provided
18 in section 204(d).’.

19 **SEC. 2. EFFECTIVE DATE.**

20 The amendments made by this Act shall apply with
21 respect to deaths occurring after the date of the enactment
22 of this Act.

○